



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,966	06/28/2001	Michael Sorotzkin	071.0001	3428

7590 11/02/2004

Erick B. Cherdak & Associates, LLC  
Suite 906  
11300 Rockville Pike  
Rockville, MD 20852

EXAMINER

CHANG, JUNGWON

ART UNIT PAPER NUMBER

2154

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/894,966	<b>Applicant(s)</b> SOROTZKIN, MICHOEL	
	<b>Examiner</b> Jungwon Chang	<b>Art Unit</b> 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-20 are presented for examination.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 7-11 and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Meister et al. (US 6,671,718), hereinafter referred to as Meister.
4. As to claims 1, 9 and 15, Meister discloses the invention as claimed, including an email client (i.e., email client application; col. 2, lines 64-65), comprising:  
  
generation means for permitting a sender to generate an email message (i.e., e-mail message is comprised of header fields, 62, and a body 64, fig. 3) to be sent to a specified recipient (i.e., intended recipient) via a messaging system (i.e., electronic mail system; col. 2, lines 60-62) (fig. 3; col. 4, lines 5-16);  
  
confirmation means for confirming that said email message is to be sent to said

Art Unit: 2154

specified recipient by presenting to said sender a confirmation notice (30, fig. 2; text 32, fig. 2 which indicates to the user, i.e., sender, that the user is about to send a message to the listed individuals, i.e., intended recipients; col. 3, lines 14-26; col. 4, lines 33-41), said confirmation notice requesting said sender to confirm that said specified recipient is an intended recipient of said email message (i.e., the confirmation box or field, 50, fig. 2 is marked by the user to confirm that the particular recipient is intended; col. 3, line 57 – col. 4, line 3); and

sending means for causing said email message to be sent to said specified recipient via said message system after said sender operates said confirmation means and confirms that said specified recipient is said intended recipient (col. 1, lines 10-11; allowing user, i.e., sender, to send the message to the recipients; col. 3, lines 40-45; col. 4, lines 43-44).

5. As to claims 2, 10 and 16, Meister further discloses including an audio stream presentation facility, said audio stream presentation facility configured to present to said sender an audio stream corresponding to said specified recipient (i.e., dialog box 30 with sound, verbal cue; col. 3, lines 19-22).

6. As to claim 7, Meister further discloses permitting said email message to be formatted according to a pre-defined messaging standard (62, 64, fig. 2; col. 4, lines 5-16).

Art Unit: 2154

7. As to claim 8, Meister discloses wherein said pre-defined messaging standard permits said email message to be transported via the Internet (20, fig. 1; col. 3, lines 2-8).

8. As to claims 3, 11 and 17, they are rejected for the same reasons set forth in claims 2, 10 and 16 above.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 4-6, 12-14 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meister et al. (US 6,671,718), as applied to claims 1-3, 7-11 and 15-17 above, in view of Dawson (US 6,252,588).

11. As to claims 4, 12 and 18, Meister does not specifically disclose a picture presentation facility, said picture presentation facility configured to present to said sender a picture of said specified recipient. However, Dawson discloses a picture presentation facility, said picture presentation facility configured to present to said sender a picture of said specified recipient (fig. 16; fig. 17; col. 24, lines 6-19 and 28-37;

Art Unit: 2154

col. 25, lines 39-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Meister and Dawson because Dawson's picture of the specified recipient would prevent the delivery of an email message to an unintended recipient by identifying the picture of the specified recipient before sending the message.

12. As to claims 5, 6, 13, 14, 19 and 20, Meister discloses an audio stream presentation facility, said audio stream presentation facility configured to present to said sender an audio stream corresponding to said specified recipient (i.e., dialog box 30 with sound, verbal cue; col. 3, lines 19-22). However, Meister does not specifically disclose a video sequences identifying said specified recipient. However, Dawson discloses a video sequences identifying said specified recipient (fig. 16; fig. 17; col. 24, lines 6-19 and 28-37; col. 25, lines 39-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Meister and Dawson because Dawson's video identifying the specified recipient would prevent the delivery of an email message to an unintended recipient by identifying the picture of the specified recipient before sending the message.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Fishkin, patent 6,460,074, Rollins, patent 6,434,601 discloses the method and system

for verifying the validity of an addressee's Internet email address.

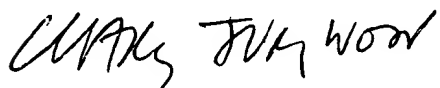
Bahar, Pub. No. 2002/0019852 discloses method and system for identifying the individual who accesses the delivered email.

Barra et al., Pub. No. 2002/0104026, Nassiri, patent 2002/0046250 disclose method and system for verifying electronic message was sent to the intended recipient.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JWC  
October 25, 2004